

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

WELLS FARGO BANK, N.A., etc.,)
)
 Plaintiff,)
)
 v.) No. 11 C 1989
)
FRANCINE NESBITT, et al.,)
)
 Defendants.)

MEMORANDUM ORDER

Mortgagor Francine Nesbitt ("Nesbitt"), a codefendant in this mortgage foreclosure action, has filed her Answer on August 4. This memorandum order is issued sua sponte to address a fundamental problem posed by that responsive pleading.

In principal part Nesbitt challenges the standing of Wells Fargo Bank, N.A. ("Wells Fargo") to bring this action. According to the Answer, there is a gap in the chain of title that disentitles Wells Fargo from standing in the stead of original mortgagee Argent Mortgage Company, LLC. Under the circumstances, Wells Fargo's counsel is ordered to file a supplement to the original Complaint responding to that challenge on or before August 22, 2011.¹



Milton I. Shadur
Senior United States District Judge

Date: August 8, 2011

¹ That filing will provide ample time for Nesbitt to respond, if desired, before the previously scheduled September 2 status hearing date. This Court is not ordering such a response--that is a decision for Nesbitt and her counsel to make.